



# Civil Procedure Act 1997

## 1997 CHAPTER 12

### *Rules and directions*<sup>F1</sup>

#### **2 Rule Committee.**

- (1) Civil Procedure Rules are to be made by a committee known as the Civil Procedure Rule Committee, which is to consist of—
  - [<sup>F1</sup>(aa) the Head of Civil Justice,
  - (ab) the Deputy Head of Civil Justice (if there is one),
    - (a) the Master of the Rolls (unless he holds an office mentioned in paragraph (aa) or (ab)), and]
    - (c) the persons currently appointed by the Lord Chancellor under subsection (2).
- (2) The Lord Chancellor must appoint—
  - [<sup>F2</sup>(a) either two or three judges of the Supreme Court,]
  - (b) one Circuit judge,
  - (c) one district judge,
  - (d) one person who is a Master referred to in Part II of Schedule 2 to the <sup>M1</sup>Supreme Court Act 1981,
  - (e) three persons who have a Supreme Court qualification (within the meaning of section 71 of the <sup>M2</sup>Courts and Legal Services Act 1990), including at least one with particular experience of practice in county courts,
  - (f) three persons who have been granted by an authorised body, under Part II of that Act, the right to conduct litigation in relation to all proceedings in the Supreme Court, including at least one with particular experience of practice in county courts, [<sup>F3</sup>and
  - (g) two persons with experience in and knowledge of the lay advice sector or consumer affairs.]
- (3) Before appointing a judge of the Supreme Court under subsection (2)(a), the Lord Chancellor must consult the Lord Chief Justice.
- (4) Before appointing a person under paragraph (e) or (f) of subsection (2), the Lord Chancellor must consult any body which—

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*Status: Point in time view as at 26/01/2004. This version of this provision has been superseded.*

*Changes to legislation: Civil Procedure Act 1997, Section 2 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (a) has members who are eligible for appointment under that paragraph, and
  - (b) is an authorised body for the purposes of section 27 or 28 of the Courts and Legal Services Act 1990.
- (5) The Lord Chancellor may reimburse the members of the Civil Procedure Rule Committee their travelling and out-of-pocket expenses.
- (6) The Civil Procedure Rule Committee must, before making or amending Civil Procedure Rules—
- (a) consult such persons as they consider appropriate, and
  - (b) meet (unless it is inexpedient to do so).
- (7) The Civil Procedure Rule Committee must, when making Civil Procedure Rules, try to make rules which are both simple and simply expressed.
- (8) Rules made by the Civil Procedure Rule Committee must be signed by at least eight members of the Committee and be submitted to the Lord Chancellor, who may allow or disallow them.

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**Textual Amendments**

- F1** S. 2(1)(aa)(ab)(a) substituted (26.1.2004) for s. 2(1)(a)(b) by [Courts Act 2003 \(c. 39\)](#), **ss. 83(1)**, 110(1); [S.I. 2003/3345](#), **art. 2(b)(viii)**
- F2** S. 2(2)(a) substituted (26.1.2004) by [Courts Act 2003 \(c. 39\)](#), **ss. 83(2)**, 110(1); [S.I. 2003/3345](#), **art. 2(b)(viii)**
- F3** S. 2(2)(g) and word substituted (26.1.2004) for s. 2(2)(g)(h) and word by [Courts Act 2003 \(c. 39\)](#), **ss. 83(3)**, 110(1); [S.I. 2003/3345](#), **art. 2(b)(viii)**
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**Marginal Citations**

- M1** 1981 c. 54.
- M2** 1990 c. 41.

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